

United States District Court

MAY 13 2015

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Hansel Alan Garcia
A205 726 239
United States CitizenPRINCIPAL
YOB: 1993

Case Number:

M-15- 0758 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 11, 2015 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Ever Alejandro Miranda-Sanchez, a national of El Salvador, and Josue Neftali Torres-Garcia, a national of Guatemala, along with three (3) other undocumented aliens, for a total of five (5), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONYI further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 11, 2015, DPS Trooper Dustin Slubar, conducted a vehicle stop in Rio Grande City, Texas on a blue Chevrolet Blazer for a Slower Vehicle Failure to Keep Right and Impeding Traffic. At the vehicle stop, Trooper Slubar suspected the passengers were illegally in the United States and requested the assistance of Border Patrol.


SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

OK to file. TJS

☒ Yes ☐ No
Signature of ComplainantIsrael Perez Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

May 13, 2015
Dateat McAllen, Texas
City and StatePeter E. Ormsby , U. S. Magistrate Judge
Name and Title of Judicial Officer
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- 0758-M

RE: Hansel Alan Garcia

A205 726 239

CONTINUATION:

Border Patrol Agent Domingo Dominguez arrived and determined the driver, identified as Hansel Alan GARCIA, was a United States Citizen, and the five passengers he was carrying were all illegally in the United States.

GARCIA and the five passengers were transported the Rio Grande Border Patrol Station for processing.

PRINCIPAL'S STATEMENT:

Hansel Alan GARCIA was read his rights. He stated he did not wish to make a statement without the presence of an attorney.

NOTE:

GARCIA was convicted of 8 USC 1324 on February 14, 2013 and received 4 months confinement and 36 months TSR. GARCIA is still on his Term of Supervised Release.

MATERIAL WITNESSES' STATEMENTS:

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1- Ever Alejandro Miranda-Sanchez told agents he was charged over \$4,500 (USD) to be smuggled to Los Angeles, California. According to Miranda, five smuggled aliens and a guide illegally crossed the Rio Grande River. After crossing the river, the guide pointed to a vehicle that was waiting for them near the river and told them to board it. As the group ran toward the vehicle, the driver unlocked the doors and they boarded the Blazer. Miranda stated the driver told him to lay down in the cargo area of the truck.

2- Josue Nefthali Torres-Garcia told agents he was charged \$4,500 (USD) to be smuggled to Houston, Texas. After he and the group of other smuggled aliens illegally crossed the Rio Grande River, the vehicle was already waiting for them near the river. The guide who crossed the group over the river told the group to board the vehicle. Torres sat in the front seat next to the driver. According to Torres, the driver told him to put his seatbelt on and not to look around. Torres identified GARCIA in a photo lineup as the driver of the vehicle he was told to board.